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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 ARLENE ELLIS,

11 Plaintiff,

12 v.

13 MICHAEL J. ASTRUE, Commissioner of
the Social Security Administration,

14 Defendant.
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CASE NO. 11-cv-05833 RBL

ORDER ADOPTING REPORT AND
RECOMMENDATION

16 The Court, having reviewed the Report and Recommendation of Judge J. Richard
17 Creatura, United States Magistrate Judge, on the Defendant's Stipulated Motion for Remand
18 Pursuant to Sentence Six, 42 U.S.C. § 405(g) (ECF No. 12), and the relevant record does hereby
19 find and ORDER:

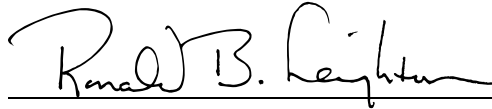
- 20 (1) The Court adopts the Report and Recommendation.
- 21 (2) The matter is REMANDED pursuant to sentence six of 42 U.S.C. § 405(g) to the
22 Commissioner for a *de novo* hearing;
- 23 (3) This Court retains jurisdiction over this action;
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1 (4) After remand, the Commissioner of Social Security shall modify or affirm the
2 Commissioner's findings of fact or the Commissioner's decision, or both, and
3 shall file with the Court any such additional or modified findings of fact and
4 decision;

5 (5) If the outcome is still not fully favorable to Plaintiff, the Commissioner shall file
6 with the Court a transcript of the additional record and testimony on which the
7 Commissioner's action in modifying or affirming is based, and plaintiff may seek
8 judicial review by reinstating this case rather than by filing a new complaint; and

9 If the outcome is favorable to Plaintiff, the parties shall move this Court for entry of Judgment.

10 DATED this 6th day of February, 2012.

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12 RONALD B. LEIGHTON
13 UNITED STATES DISTRICT JUDGE
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